

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Pforzheimer ✓
 Mr. Saunders

FROM : General Counsel

SUBJECT: Enabling Legislation

DATE: 3 April 1947

1. Attached is revised draft of Sections 6 and 7 of the proposed enabling act. We believe all unnecessary provisions have been eliminated and what remains is thoroughly justifiable. Note that in Section 6, subparagraph 5, we have added the words "without regard to provisions of law to the contrary". We feel this phrase would create an exception to existing laws such as GPO operates under, or possible future laws. However, this is a provision I feel we might profitably discuss with Budget or GAO. I would strongly recommend that if possible our entire revised bill be discussed with the same budget officers who commented on our prior draft, before we present the revised draft to the Director.

LRH

GENERAL AUTHORITY

Section 6. In the performance of its functions, the Central Intelligence Agency is authorized to:

- (1) Procure necessary services, supplies and equipment without regard to the provisions of Section 3709, Revised Statutes (41 U.S.C. 5), as amended, upon certification by the Director, or an official designated by him for that purpose, that such action is necessary in the interest of the common defense and security or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purpose;
- (2) Pay quarters and cost of living allowances to employees having permanent station outside the continental limits of the United States;
- (3) Transfer to and receive from funds available to other departments or agencies of the Government such sums as may be authorized by the Director of the Bureau of the Budget, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities authorized in this Act, and any other department or agency of the Government is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law concerning transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this Act without regard to limitations of other appropriations;
- (4) Order to the continental United States on leave of absence any officer or employee of the agency upon completion of two (2) years continuous service abroad, and pay travel expenses incident thereto of employees and their dependents to their place of residence in the United States and return. Such leave will not exceed sixty (60) calendar days, and will be exclusive of time actually and necessarily spent in travel and awaiting transportation;
- (5) Reimburse other Government departments and agencies for services of personnel assigned to the Agency, and other departments and agencies are hereby authorized, without regard to provisions of

law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(6) Exchange funds without regard to Section 3651 Revised Statutes (31 U.S.C. 543);

(7) Authorize couriers designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(8) Notwithstanding the provisions of Section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his absolute discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

APPROPRIATIONS

Section 7. Appropriations: _____

(a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, including

(b) Personal services and rent at the seat of Government and elsewhere;

preparation and transportation of the remains of officers and employees who die abroad or in transit, while in dispatch of

their official duties, to their former homes in this country or to a place not more distant for interment, and for ordinary expenses

of such interment; ^{rental of news-reporting services;} purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines,

equipment and devices, and radio-receiving and radio-sending equipment and devices including telegraph and teletype equipment; purchase, maintenance, operation, repair and hire of passenger motor

vehicles and aircraft, and vessels of all kinds; printing and binding; purchase, maintenance, and cleaning of firearms.

(c) The Acts appropriating such sums may appropriate specified portions thereof which may be expended, (A) without regard to the

provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government

service; (B) for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director and

every such certificate shall be deemed a sufficient voucher for the amount therein certified.

page copied

GENERAL AUTHORITY*Revised draft submitted
by General Counsel, 9 April*

Section 4. In the performance of its functions, the Central Intelligence Agency is authorized to:

- (1) Procure necessary services, supplies and equipment without regard to the provisions of Section 3709, Revised Statutes (41 U.S.C. 5), as amended, upon certification by the Director, or an official designated by him for that purpose, that such action is necessary in the interest of the common defense and security or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purpose;
- (2) Transfer to and receive from funds available to other departments or agencies of the Government such sums as may be authorized by the Director of the Bureau of the Budget, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities authorized in this Act, and any other department or agency of the Government is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law concerning transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this Act without regard to limitations of other appropriations;
- (3) Apply the provisions, in the Director's discretion and under such regulations as he may prescribe, of Sections 901, 911-913, 931-933 and 935-943 of Public Law 724, 79th Congress, 2nd Session to employees assigned to permanent duty stations outside the continental United States;
- (4) Reimburse other Government departments and agencies for services of personnel assigned to the Agency, and other departments and agencies are hereby authorized, without regard to provisions of

APPROPRIATIONS

Section 5. Appropriations: _____

(a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, including

(b) Personal services and rent at the seat of Government and elsewhere; preparation and transportation of the remains of officers

and employees who die abroad or in transit, while in dispatch of their official duties, to their former homes in this country or

to a place not more distant for interment, and for ordinary expenses of such interment; rental of news-reporting services; purchase or

rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-

receiving and radio-sending equipment and devices including telegraph and teletype equipment; purchase, maintenance, operation, repair and

hire of passenger motor vehicles and aircraft, and vessels of all kinds; printing and binding; purchase, maintenance, and cleaning

of firearms.

(c) The Acts appropriating such sums may appropriate specified portions thereof which may be expended, (A) without regard to the

provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government

service; (B) for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director and

every such certificate shall be deemed a sufficient voucher for the amount therein certified.

6. *Severance*

7. *Short Title*